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5 RAPHAEL GEORGE RAYFORD,
6 Plaintiff,
7 v.
8 W. BLAIR, et al.,
9 Defendants.
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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
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17 Case No. [14-cv-03660-VC](#) (PR)
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20 **ORDER DENYING MOTION FOR
21 APPOINTMENT OF COUNSEL**
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24 Docket No. 16
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28 Raphael George Rayford moves for the appointment of counsel in his civil rights action
29 because the legal issues are complex and he is unable to adequately investigate or present the
30 factual issues regarding his claims.
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33 “[I]t is well-established that there is generally no constitutional right to counsel in civil
34 cases.” *United States v. Sardone*, 94 F.3d 1233, 1236 (9th Cir. 1996). Nonetheless, under
35 28 U.S.C. § 1915(e)(1), the Court has the discretion to appoint counsel to “any person unable to
36 afford counsel.” The discretionary appointment of counsel typically is reserved for cases involving
37 “exceptional circumstances.” *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991). “A finding
38 of exceptional circumstances requires an evaluation of both ‘the likelihood of success on the merits
39 and the ability of the petitioner to articulate his claims *pro se* in light of the complexity of the legal
40 issues involved.’ Neither of these factors is dispositive and both must be viewed together before
41 reaching a decision.” *Id.* Here, exceptional circumstances requiring the appointment of counsel are
42 not evident. The request for appointment of counsel is DENIED.
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45 If, in the future, the Court concludes it is necessary to appoint counsel to represent
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1 Rayford, it shall do so *sua sponte*.
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3 This Order terminates Docket No. 16.
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5 **IT IS SO ORDERED.**
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7 Dated: June 11, 2015
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Vincent Chhabria
VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE

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4 RAPHAEL GEORGE RAYFORD,
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8 Defendants.
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10 Case No. [14-cv-03660-VC](#)
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12 **CERTIFICATE OF SERVICE**
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14 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
15 District Court, Northern District of California.
16

17 That on June 11, 2015, I SERVED a true and correct copy(ies) of the attached, by placing
18 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
19 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
20 receptacle located in the Clerk's office.
21

22 Raphael George Rayford ID: D-76886
23 Salinas Valley State Prison
24 P.O. Box 1050, Fac.D1-111L
25 Soledad, CA 93960-1050
26

27 Dated: June 11, 2015
28

Richard W. Wiking
Clerk, United States District Court

29 By: 
30 Kristen Melen, Deputy Clerk to the
31 Honorable VINCE CHHABRIA
32